

Attorney Docket No.: 00CON113P

REMARKS

In the Office Action dated June 1, 2004, the Examiner has *finally rejected* claims 1-7, 9-11, 13-21, and 32-34. Withdrawal of the present final rejection and reconsideration and allowance of pending claims 1-7, 9-11, 13-21, and 32-34 in view of the following remarks are requested.

A. Rejection of Claim 33 under 35 USC §112, ¶ 2

The Examiner has rejected claim 33 under 35 USC §112, ¶ 2 as being indefinite for not defining the word "indirect" in the claim. Applicant respectfully traverses this rejection. Referring to the present application at page 6, lines 17-20, "[a]n indirect match is found when a term in the resolved packet syntax matches a corresponding term in the syntax of the selected node at the second or third or further branch levels in the tree structure." Consequently, Applicant submits that the rejection of claim 33 under 35 USC §112, ¶ 2 should be withdrawn.

B. Rejection of Claims 1-7, 9-11, 13-21, and 32-34 under 35 USC §103(a)

The Examiner has rejected claims 1-7, 9-11, 13-21, and 32-34 under 35 USC §103(a) as being obvious with respect to U.S. Patent Number 5,922,065 to Hull, et al. ("Hull") and U.S. Patent Number 6,457,173 to Gupta, et al. ("Gupta"). For the reasons discussed below, Applicant respectfully submits that the present invention, as defined by claim 1, is patentably distinguishable over Hull and Gupta.

Attorney Docket No.: 00CON113P

Independent claim 1 is patentably distinguishable over Hull and Gupta for the following reasons. Hull is directed to a processor that utilizes a template field for encoding a set of most useful instructions in a wide-word format. The instruction set of the processor includes instructions that are one of a plurality of different instruction types. The execution units of the processor are also categorized into different types, wherein each instruction may be executed in one or more of the execution unit types. The instructions are grouped together into 128-bit sized and aligned containers referred to as bundles. Each bundle includes a plurality of instruction slots and a template field that specifies the mapping of the instruction slots to the execution unit types.

However, as the Examiner correctly states, Hull does not teach matching a template in a first composite packet to a known template corresponding to one of a plurality of known syntaxes, wherein the plurality of known syntaxes are arranged as a plurality of first level nodes in a tree structure, wherein each of a plurality of second level nodes in the tree structure includes a combination of instruction types, and wherein each of a plurality of third level nodes in the tree structure includes an instruction type.

Gupta does not cure the deficiencies of Hull. Gupta is directed to the automatic design of VLIW instruction formats. Specifically, using a computer, the design of efficient binary instruction encodings of VLIW instruction formats is automated. The method involves automatically finding compact instruction formats that can express and exploit the full parallelism specified in the underlying processor microarchitecture.

Attorney Docket No.: 00CON113P

The Examiner directs Applicant's attention to Gupta, Figure 2, components 134 and 136 and column 12, lines 1-3. However, upon review of Gupta it is apparent that components 134 and 136 are simply templates (see column 12, line 20 of Gupta). Moreover, column 12, lines 1-3 of Gupta simply state that the overall structure of the if-tree defines how each instruction is built. Gupta does not teach, disclose, or suggest "matching a template in a first composite packet to a known template corresponding to one of a plurality of known syntaxes, wherein the plurality of known syntaxes are arranged as a plurality of first level nodes in a tree structure, wherein each of a plurality of second level nodes in the tree structure includes a combination of instruction types, and wherein each of a plurality of third level nodes in the tree structure includes an instruction type". Therefore, Hull and Gupta do not disclose, teach, or suggest the present invention as defined by independent claim 1.

For the foregoing reasons, Applicant respectfully submits that the present invention as defined by independent claim 1 is not taught, disclosed, or suggested by Hull and Gupta. Thus, independent claim 1 is patentably distinguishable over Hull and Gupta. As such, the claims depending from amended independent claim 1 are, *a fortiori*, also patentably distinguishable over Hull and Gupta for at least the reasons presented above and also for additional limitations contained in each dependent claim.

Attorney Docket No.: 00CON113P


C. Conclusion

Based on the foregoing reasons, the present invention, as defined by independent claim 1, and claims depending therefrom, is patentably distinguishable over the art cited by the Examiner. Thus, outstanding claims 1-7, 9-11, 13-21, and 32-34 are patentably distinguishable over the art cited by the Examiner. As such, and for all the foregoing reasons, withdrawal of the final rejection and an early allowance Notice of Allowance directed to claims 1-7, 9-11, 13-21, and 32-34 pending in the present application are respectfully requested.

Attorney Docket No.: 00CON113P

Respectfully Submitted,
FARJAMI & FARJAMI LLP

Date: 8/9/04


Michael Farjami, Esq.
Reg. No. 38,135

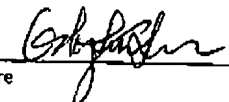
FARJAMI & FARJAMI LLP
26522 La Alameda Ave., Suite 360
Mission Viejo, California 92691
Telephone: (949) 282-1000
Facsimile: (949) 282-1002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being filed by facsimile transmission to United States Patent and Trademark Office at facsimile number 703-872-9306 on the date stated below. The facsimile transmission report indicated that the facsimile transmission was successful.

Date of Facsimile: 8/9/2004

LESLEY L. LAM
Name of Person Performing Facsimile Transmission

 8/9/04
Signature Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Mail Stop AP, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date of Deposit: _____

Name of Person Mailing Paper and/or Fee

Signature Date